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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,758	07/10/2003	Dwayne Pass	P991794-02CT	2293

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EXAMINER

WOO, ISAAC M

ART UNIT PAPER NUMBER

2162

DATE MAILED: 03/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/616,758

Applicant(s)

PASS, DWAYNE

Examiner

Isaac M Woo

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-5 is/are rejected.
- 7) ☒ Claim(s) 2 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to Applicant's Amendments, filed on December 30, 2004 have been considered.
2. Claims 1-2 are amended. Claims 1-5 are pending.
3. Claim objection on claims 1 and 2, has been withdrawn because of amendment.

Drawings

4. The drawings are objected to because on figure 1, numbers 1-8 do not include descriptions for numbers 1-8. Thus, the numbers 1-8 on figure 1 with descriptions are required. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an

application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Response to Amendment

5. Applicant argues that the rejection by 35 U.S.C. 103(a) as being unpatentable over United States Patent 6,292,657 issued to Laursen in view of United States Patent No. 5, 706, 427 issued to Tabuki, Since Applicant has shown in the above discussion that the limitation of the "agents" is not disclosed, obvious, or even suggested in Laursen in view of Tabuki. However, Examiner does not agree. The Agent that applicant defined by on application specification, "Agents (software subroutines) programmed to interpret web pages" from application specification page 13 on lines 13-14 and "programmed software agent" from application specification page 8 on lines 6-9. The agent is software subroutine which means computer program performs specific functions. The system of Laursen is computer programmed functions that performs computer system instructed by computer programs (software). Therefore, Laursen discloses the "agent".

Claim Rejections - 35 USC § 103

Art Unit: 2162

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Laursen (U.S. Patent No. 6,292,657, hereinafter, "Laursen") in view of Tabuki (U.S. Patent No. 5,706,427, hereinafter, "Tabuki").

With respect claim 1, Laursen discloses the two-way wireless device system (col.1, lines 5-16) adapted for interactive communications between a subscriber (106, FIG. 1 and col. 5, lines 5-13) and an on-line service (col.1, lines 26-40 and col.1, lines 16-22); wireless device, see (106, FIG.1 and col. 5, lines 5-13), wireless server, see (114, FIG. 1 and col. 5, lines 27-37), the wireless device and the wireless server being in communicating such that a message can be transmitted between the wireless device and the wireless server, see (col.2, lines 29-31), the message containing user information and request information, see (col. 9, lines 36-44 and col. 6, lines 62-65), on-line service, see (col. 1, lines 29-40), the on-line service having a web page for data input, see (col. 5, lines 39-56), the data input being automatically accomplished by the wireless server using agents, see (FIG. 2B and col. 43-45), the agents (the functions of web browser for exchanging information, which plays the same roles as agents, fig. 2B, col. 5, lines 39-64) being programmed to independently interact without user input with

the web page of the on-line service for data input of the request information to an on line service, see (FIG. 2B and col. 5, lines 39-57), database, see (FIG. 2A and col. 6, lines 40-43), the database capable of receiving and storing the request information and the user information sent from the wireless server after the request information and the user information has been parsed from the message, see (col. 6, lines 56-65 and col. 10, lines 56-67 to col. 11, lines 1-10), the database containing authorized user information allowing authentication of users, see (col. 6, lines 62-65 and col. 10, lines 63-66), the agent (the functions of web browser for exchanging information, which plays the same roles as agents, FIG. 2B and col. 5, lines 39-57) being programmed to independently using the web page for retrieving output data form the web page in response to data input from the agents in response to the request information and sending such output data in the form of an output message information to the database, see (col.5, lines 39-57), and the database capable of receiving and storing the output message information sent from the agents, see (col. 6, lines 37-67 to col.7, lines 1-20). Laursen does not explicitly disclose the database capable of comparing the user information sent from the wireless server to the authorized user information stored in the database to authenticate users. However, Tabuki discloses, "The verification server maintains a database of valid authentication data, against which it compares and verifies the authentication data it receives from the user host. The verification result is sent to the application server, which authenticates the user based on the result", see (abstract). The application server judges whether the user host 20 is an authorized user, in effect consigning the verification process necessary for authentication to an external verification server 30.

The verification server 30 saves the authentication data and identification data sent from the user host 20 and verifies this against valid authentication data. That is, the verification server 30 has an internal database with identification data and valid authentication data of user hosts 20. This database is searched to extract the valid authentication data (in the preferred embodiment, the instance of signature data is used) for the identity claimed by the user host 20. The extracted authentication data and the authentication data received from the application server 10 are compared, and the verification result is sent back to the application server 10 (indicated by "c" in FIG. 1), see (col. 4, lines 23-50). This teaches that database comparing user information to authenticate users. Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify Laursen by incorporating the database capable of comparing the user information sent from the wireless server to the authorized user information stored in the database to authenticate users with the system of Tabuki. Thus, one having ordinary skill in the art at the time the invention was made would have been motivated to use such a combination because that would provide Laursen's system the enhanced fast comparing user information for authenticating user is a verification of the identity of a person or process. In a communication system, authentication verifies that messages really come from their stated source or user.

8. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Laursen (U.S. Patent No. 6,292,657, hereinafter, "Laursen") in view of Tabuki (U.S.

Patent No. 5,706,427, hereinafter, "Tabuki") and further in view of Scivier et al (U.S. Patent No. 6,092,111, hereinafter, "Sciver").

With respect claims 3-5, Laursen discloses the two-way wireless device system (col.1, lines 5-16), the wireless device is portable computer and mobile phone, see (col. 5, lines 5-20). Neither Laursen nor Tabuki does disclose that wireless device a pager. However, Scivier discloses the wireless device is a pager (col. 1, lines 10-25 and col. 4, lines 13-21). Neither Laursen nor Tabuki does disclose the wireless device using wireless email. However, Scivier discloses that wireless device uses the wireless email, see (col. 1, 5-30). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention to combine Laursen and Tabuki with the teaching of Scivier to include the wireless device are a pager, portable computer and mobile telephone and the wireless device using wireless email. One of ordinary skill in the art would have been motivated to modify Laursen and Tabuki by incorporating with the teaching of Scivier that email is electronic message communication system based upon internet with physical-link access and communication protocol, such as, TCP/IP, however, wireless devices can access internet with wireless communication protocol, such as, Wireless Application Protocol (WAP) (e.g. Internet access from a mobile phone). Thus, one having ordinary skill in the art at the time the invention was made would have been motivated to use such a combination because that would provide Laursen's system communicating with wireless email.

Allowable Subject Matter

9. Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

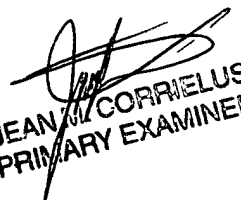
Contact Information

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (571) 272-4043. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IMW
March 9, 2005


JEAN M. CORRIELUS
PRIMARY EXAMINER